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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/651,302	08/29/2003	Oliver Frick	13909-069001 / 2002P10094	9021
32864	7590	11/22/2005	EXAMINER	
FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			TWEEL JR, JOHN ALEXANDER	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 11/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/651,302

Applicant(s)

FRICK ET AL.

Examiner

John A. Tweel, Jr.

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lancos et al** [U.S. 2002/0082859] in view of **Schnase et al** [U.S. 6,078,928].

For claim 1, the method taught by **Lancos** includes the following claimed steps, as noted, 1) the claimed reading a radio frequency identification (RFID) tag associated with a user is achieved using the information kiosk as recited in sections 37 and 80 having an RFID reader/writer which reads a guest RFID tag, 2) the claimed accessing user information is noted in section 80 where after identifying the tag, the user is presented on the kiosk display, including guest's name, guest identifier, statistical and demographic information, 3) the claimed accessing the situational information is mentioned in sections 36-37, 42, and 85 that includes information about a plurality of prospective sites, which includes "rides, attractions, restaurants, and other events", and 4) generating an interface providing a personalized agenda is read in sections 85-86 wherein the claimed situational information of prospective sites is provided by the "events" and is clearly specific to the user as noted in section 86, where **Lancos** includes "guest identifiers" in the process to provide for the reservations for a subset of

Art Unit: 2636

the sites. Section 56 also provides for an agenda by indicating specific events at specific reservation times. Lancos appears to be silent with respect to displaying the reservation agenda. While the reservation confirmation of Lancos is transmitted back to the kiosk in section 87, it is not explicitly stated whether or not the confirmed reservation agenda is displayed.

The reference of Schnase is used to show an explicit teaching that such agenda information is displayed on a kiosk. It is noted that Schnase is in the same field of providing theme-specific information based on an individual's interest (Col. 3, Lns. 5-10). Also, the institutions/facilities within the scope of Schnase (Col. 4) are basically the same as those of Lancos (section 23). Schnase explicitly teaches the conventionality of displaying exhibit or attraction information that may be of interest to the visitor in column 10, lines 8-12, that the visitor can select (Col. 10, Lns. 17-21) as display as well as other common outputs. Since Schnase and Lancos are in the same basic environment and display and output the same or at least similar basic information related to visiting prospective sites, Lancos can clearly output the reservation agenda to the display as explicitly taught by Schnase. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a display to show information related to visiting prospective sites, since Lancos already has a display that can clearly be used for this purpose as taught by Schnase, because displaying information is a quick and convenient means for providing site information to a user, and because Schnase also provides for displaying additional information to a user if desired.

For claim 2, see for example section 42 of Lancos. Schnase provides for a profile database in col. 11, Ins. 50-60 including user identity, and a profile database is again recited in col. 12, Ins. 31-35, and col. 13, Ins. 5-7.

For claim 10, the system taught by **Lancos** includes the following claimed subject matter, as noted, 1) the claimed information kiosk including a display and having access to situational information that includes information about a plurality of prospective sites and user-specific information is met by the information kiosk provided in sections 37 and 80 that teaches a kiosk having access to situational information that includes information about a plurality of prospective sites including “rides, attractions, restaurants, and other events”, and user-specific information including name, identifier, statistical and demographic information relating to the guest, 2) the claimed RFID sensor is read in section 37 wherein the kiosk of Lancos includes an RFID reader/writer, wherein the user is identified after reading the RFID tag at the kiosk as noted in section 80 where after identifying the tag, the user is presented on the kiosk display, and in section 86 where the kiosk explicitly contains the guest identifier. The guest identifier 802 in Fig. 8 is accompanied with other user specific information collectively known as the Guest Data Object. Lancos provides for an agenda for visiting a selected subset of the prospective sites by the reservation information for user specified events provided by the kiosk in sections 85-86. The claimed situational information of prospective sites is provided by the “events” including sites and is clearly specific to the user as noted in section 86, where Lancos includes “guest identifiers” in the process to provide for the reservations for a subset of the sites. Section 56 also provides for an agenda by

Art Unit: 2636

indicating specific events at specific times. Lancos appears to be silent with respect to displaying the reservation agenda. While the reservation confirmation of Lancos is transmitted back to the kiosk in section 87, it is not explicitly stated whether or not the confirmed reservation agenda is displayed.

The claim is interpreted and rejected for the same reasons and rationale as is mentioned in the rejection of claim 1 above.

For claim 11, section 37 of Lancos provides for a touch screen display. See also col. 10, Ins. 23-25 of Schnase.

For claims 12 and 13, see section 42 of Lancos. Schnase provides for a profile database in col. 11, Ins. 50-60 including user identity, and a profile database is again recited in col. 12, Ins. 31-35, and col. 13, Ins. 5-7.

3. Claims 3-5 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lancos et al** in view of **Schnase et al** as applied to claims 1 and 10 above, and further in view of **Chung** (provided with previous action).

For claim 3, the combination of Lancos and Schnase includes the claimed subject matter as discussed in the rejection of claim 1 above. However, both references are silent with regard to building a user profile by presenting a series of questions to the user.

The Chung reference is used to show an explicit teaching that a series of questions are asked of the user. It is noted that Chung and Lancos are in the same field of providing theme-specific information based on individual's interest. Chung

Art Unit: 2636

explicitly teaches that a series of questions are asked of the user to modify a stored profile (Col. 21, Lns. 16-18). As both references are in the same basic environment and display and output similar basic information, Lancos can clearly output the same questions as explicitly taught by Chung. It would have been obvious to one of ordinary skill in the art at the time the invention was made to ask questions of the user for the purpose of modifying an agenda easily and quickly.

For claim 4, the user information of **Chung** is stored during a registration process.

For claim 5, various types of information is accessed and presented in **Chung**, such as data sheets, models, products, and other additional information. Directions and event descriptions are common items to present to visitors and are not considered patentable innovations, as this is well known information.

For claim 14, the claim is interpreted and rejected for the same reasons and rationale as is mentioned in the rejection of claim 3 above.

For claim 15, the user information of **Chung** is stored during a registration process.

For claim 16, the **Chung** system allows users to register electronically on an Internet web site.

4. Claims 6-9 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lancos** in view of **Schnase** as applied to claims 1 and 10 above, and further in view of **Jones** (provided with previous action).

For claim 6, the combination of references above includes the claimed subject matter as discussed in the rejection of claim 1 above. However, there is no mention of sending a portion of the interface to a mobile device.

The method and system taught by **Jones** is able to access CRM data via voice recognition units. The system allows a business professional to access data from a central repository using mobile devices such as cell phones and PDAs. One obvious advantage of this system is to enable the user to access a wide variety of different data types from a telephone, whereby the user could perform ad hoc queries and access user- or company-specific information that has been stored in a database.

It is noted that Lancos also deals with CRM systems in which databases are created that can be modified to create an agenda to be used by a visitor. Phone access to registration information would not only increase the registration options available to the user, it would provide an interface that would be personalized to the specific user or visitor. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include access to a CRM system for the purpose of enabling the user to access a wide variety of data from a wide variety of exhibitions with a common and useful mobile interface.

For claim 7, one mobile device used in **Jones** is a cell phone.

For claim 8, one mobile device mentioned in the **Jones** reference is a personal digital assistant.

For claim 9, the interface used in **Jones** utilizes a voice recognition system.

For claim 17, one method of information retrieval in **Jones** uses a phone bank exchange (PBX) switch (No. 64).

For claim 18, the system of **Jones** accesses data using a PBX switch from a central database (No. 12).

For claim 19, the system of **Jones** accesses data using voice recognition software.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John A. Tweel, Jr. whose telephone number is 571 272 2969. The examiner can normally be reached on M-F 10-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass can be reached on 571 272 2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAT

11/20/05



JOHN TWEEL
PRIMARY EXAMINER